

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI**

In re: VICTOR EUGENE EVANS

Case No.: 13-40029-abf-13

Debtor

TRUSTEE'S MOTION TO DEPOSIT FUNDS INTO THE COURT REGISTRY
ON BEHALF OF THE CREDITOR

COMES NOW Richard V. Fink, Chapter 13 Trustee, and moves for an order to deposit funds as identified below in the total amount of \$3,364.11 into the Court Registry as provided by 11 U.S.C. Section 347 and in support thereof states:

- 1) Debtors' plan provided for ongoing, post-petition mortgage payments mortgage to be made to creditor OCWEN ("creditor") in the amount of \$177.00 per month by the trustee from plan payments.
- 2) The case was dismissed after confirmation on September 22, 2014.
- 3) Creditor did not file a proof of claim in the case. As a result, the trustee has been unable to disburse ongoing, post-petition mortgage payments to creditor.
- 4) As \$3,364.11 of the balance on hand as of the dismissal date belongs to creditor or the current holder of the mortgage, the trustee requests that he be ordered to deposit this amount into the Court Registry for the benefit of creditor or the current holder of the mortgage.

WHEREFORE, based on the foregoing the Trustee respectfully requests an order of the Court directing him to deposit \$3,364.11 with the Court Registry.

Dated: October 02, 2014

Respectfully submitted,

/s/ Richard V. Fink, Trustee
Richard V. Fink, Trustee
818 Grand Blvd., Ste. 800
Kansas City, Mo. 64106-1901

NOTICE OF MOTION

Any response to the motion must be filed within twenty-one (21) days of the date of this notice (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006) with the Clerk of the United States Bankruptcy Court. Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. A copy of such response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. Parties not represented by an attorney may mail a response to the Court at the address below. If a response is timely filed, the Court will either rule the matter based on the pleadings, or set the matter for a hearing. If a hearing is to be held, notice of such hearing will be sent to all parties in interest. **If no response is filed within twenty-one (21) days (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006), the Court may enter an Order to pay the funds into the Court's registry.** For information about electronic filing, go to <http://www.mow.uscourts.gov>. If you have any questions about this document, contact your attorney.

Court Address: U.S. Bankruptcy Court, 400 E. 9th St., Room 1510, Kansas City, MO 64106

NOTICE OF SERVICE

The following parties will be served either electronically or by United States First Class Mail and a certificate of service will be filed thereafter:

DEBTOR(S)
CASTLE LAW OFFICE OF KC PC (692) - ATTORNEY FOR DEBTOR(S)
OCWEN (46466)

JQ /Motion - Deposit Funds Into Court Registry - Mortgage Not POC Filed